

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ROBERT BERG, Individually and On Behalf)	
of All Others Similarly Situated,)	
)	
Plaintiff,)	
)	Case No. 1:17-cv-11331
v.)	
)	JURY TRIAL DEMANDED
ENERNOC, INC., TIM HEALY, DAVID)	
BREWSTER, KIRK ARNOLD, JIM BAUM,)	CLASS ACTION
ARTHUR W. COVIELLO, JR., TJ)	
GLAUTHIER, GARY HAROIAN, ENEL)	
S.P.A., ENEL GREEN POWER NORTH)	
AMERICA, INC., and PINE MERGER SUB)	
INC.,)	
)	
Defendants.)	

Notice is hereby given that pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, Plaintiff voluntarily dismisses with prejudice as to Plaintiff only and without prejudice as to the putative class in the above-titled action against Defendants as moot. This notice of dismissal is being filed with the Court before service by Defendants of either an answer or a motion for summary judgment.

Dated: August 24, 2017

MATORIN LAW OFFICE, LLC

OF COUNSEL:

RIGRODSKY & LONG, P.A.
2 Righter Parkway, Suite 120
Wilmington, DE 19803
(302) 295-5310

RM LAW, P.C.
1055 Westlakes Drive, Suite 300
Berwyn, PA 19312
(484) 324-6800

By: /s/ Mitchell J. Matorin
Mitchell J. Matorin (BBO# 649304)
18 Grove Street, Suite 5
Wellesley, MA 02482
(781) 453-0100
mmatorin@matorinlaw.com

Attorneys for Plaintiff

Certificate of Service

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and copies will be sent to those indicated as non-registered participants on August 24, 2017, as follows:

Koji Fukumura
Cooley LLP
4401 Eastgate Mall
San Diego, CA 92121-1909
kfukumura@cooley.com

/s/ Mitchell J. Matorin